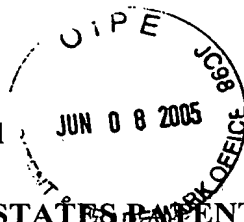


DOCKET NO.: 218917US2/sal



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE APPLICATION OF:

GROUP: 2121

Masumi NOMURA, et al.

SERIAL NO: 10/057,955

EXAMINER: PATEL, RAMESH B

FILED: January 29, 2002

FOR: COMBUSTION VIBRATION ESTIMATING APPARATUS, PLANT AND
GAS TURBINE PLANT

**APPLICATION OF PREVIOUSLY PAID ISSUE FEE IN
ACCORDANCE WITH SECTION 1308.01 MPEP**

Mail Stop Issue Fee
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

The above-identified application was withdrawn from Issue after payment of the Issue Fee in the amount of \$1630.00 (Issue Fee \$1330.00 + Pub. Fee \$300.00). Enclosed is a Credit Card Form in the amount of \$70.00 to include the increase in the Issue Fee.

The application has now been allowed again and since a refund of the previously paid Issue Fee has not been requested, it is now requested that the previously paid Issue Fee be applied to the Issue Fee being paid herewith. Enclosed herewith is a copy of the Petition Granted.

Respectfully Submitted,

OBLON, SPIVAK, McCLELLAND,
MAIER & NEUSTADT, P.C.



Marvin J. Spivak

Registration No. 24,913

Joseph Scafetta, Jr.
Registration No. 26,803

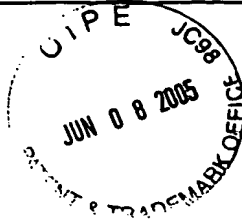
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Alexandria, VA 22313-1450
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1940 DUKE STREET
ALEXANDRIA VA 22314

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FEB 22, 2005

OFFICE OF PETITIONS

ON PETITION

In re Application of
Masumi Nomura et al
Application No. 10/057,955
Filed: January 29, 2002
Attorney Docket No. 218917US2

This is a decision on the petition, filed February 17, 2005, under 37 CFR 1.313(c)(2) to withdraw the above-identified application from issue after payment of the issue fee.

The petition is **GRANTED**.

The above-identified application is withdrawn from issue for consideration of a submission under 37 CFR 1.114 (request for continued examination). See 37 CFR 1.313(c)(2).

Petitioner is advised that the issue fee paid on September 17, 2004 in the above-identified application cannot be refunded. If, however, the above-identified application is again allowed, petitioner may request that it be applied towards the issue fee required by the new Notice of Allowance.¹

Telephone inquiries should be directed to the undersigned at (571) 272-3208.

The examiner of Technology Center AU 2121 will consider the request for continued examination under 37 CFR 1.114.

Karen Creasy
Karen Creasy
Petitions Examiner
Office of Petitions
Office of the Deputy Commissioner
for Patent Examination Policy

RECEIVED: *2-23-05*
OBLON, SPIVAK, MCCLELLAND
MAIER & NEUSTADT, P.C.
DOCKETING DEPT.
Initials/Date Docketed: *65-2-23-05*
Type of Resp(s):
Due Date(s):

¹ The request to apply the issue fee to the new Notice may be satisfied by completing and returning the new Issue Fee Transmittal Form PTOL-85(b), which includes the following language thereon: "Commissioner for Patents is requested to apply the Issue Fee and Publication Fee (if any) or re-apply any previously paid issue fee to the application identified above." Petitioner is advised that, whether a fee is indicated as being due or not, the Issue Fee Transmittal Form **must** be completed and timely submitted to avoid abandonment. Note the language in bold text on the first page of the Notice of Allowance and Fee(s) Due (PTOL-85).